

Message Text

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ACTION EB-07

INFO OCT-01 EUR-12 ISO-00 IO-10 CAB-05 CIAE-00 COME-00

DODE-00 DOTE-00 INR-07 NSAE-00 RSC-01 FAA-00 AF-06

ARA-10 EA-10 NEA-09 PM-03 H-02 L-02 NSC-05 PA-02

PRS-01 SP-02 SS-15 USIA-15 /125 W
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R 061801Z FEB 75

FM AMCONSUL MONTREAL

TO SECSTATE WASHDC 5939

UNCLAS MONTREAL 0236

FROM USREP ICAO

E. O. 11652: N/A

TAGS: PORG, EAIR, ICAO

SUBJ: ICAO - COUNCIL MEETING FEB 4 (C-OB 84/1)

REF: STATE 023170

1. REGARDING CWP-6118, COUNCIL APPROVED WITHOUT COMMENT MEMBERSHIP OF WORKING GROUP ON GUATEMALA PROTOCOL.

2. REGARDING ITEMS 2 THROUGH 8, AMENDMENTS TO TECHNICAL ANNEXES, ALL WERE APPROVED WITH MINOR CHANGES EXCEPT: IN TAKING UP THE FIRST OF THESE ITEMS (CWP-6114) THE UK IMMEDIATELY SUGGESTED REFERRAL OF THE SONIC BOOM MATERIAL BACK TO THE SONIC BOOM COMMITTEE. UKREP STATED HE WAS "NOT SEEKING TO REVIVE CONTROVERSY RE ANNEX 2 AND ANNEX 6)." HIS BASIC REASONS WERE (A) TEXT PROPOSED IN WORKING PAPER SUBSTANTIALLY DIFFERED FROM THAT RECOMMENDED BY SONIC BOOM COMMITTEE II; (B) WAS DIFFERENT FROM MATERIAL SENT TO STATES FOR COMMENT; (C) THERE HAVE BEEN DEVELOPMENTS SINCE COMMITTEE WORK, FOR EXAMPLE SST FLIGHTS, ALLIED WORK AND EXPERIENCE. AUSTRALIA SUGGESTED REFERRING BACK TO AIR NAVIGATION COMMISSION. NIGERIA SUGGESTED COMMITTEE AND COMMISSION. FRANCE AGREED WITH UK. FRG MADE EFFECTIVE INTERVENTION POINTING OUT;
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(A) SONIC BOOM MATERIAL IN QUESTION IS NOT TECHNICAL BUT LEGAL;

(B) REACTIVATING AND CHARGING COMMITTEE WITH THESE TWO ITEMS NOT WARRANTED; (C) MATERIAL SHOULD BE SENT TO STATES FOR COMMENT RATHER THAN TO SBC; AND (D) POINTED OUT THAT THE QUESTION IS LEGAL TERMINOLOGY REGARDING "HIGH SEAS AND ADJACENT TERRITORY" -- THEREFORE HE REQUESTED OPINION OF DIRECTOR LEGAL BUREAU. THIS INTERVENTION OBVIOUSLY ANNOYED UKREP WHO WENT TO GREAT LENGTHS TO POINT OUT THAT HE HAD NOT RPT NOT RAISED SUBSTANTIVE QUESTION AND WAS NOT PREPARED TO ENGAGED IN SUBSTANTIVE DISCUSSION. PRES/COMMISSION POINTED OUT THAT THE COMMISSION HAD CONSIDERED MATERIAL "RIPE" FOR ANNEX BECAUSE THE SONIC BOOM COMMITTEE HAD; AND FURTHER, COMMISSION HAD RECEIVED AND ACCEPTED THE ADVICE OF LEGAL BUREAU BEFORE FINALIZING RECOMMENDATIONS. USSR (AN COMMISSIONER REPRESENTING) POINTED OUT THAT DISCUSSION WAS BEGINNING TO RPT THE MAJOR DIFFERENCES THAT HAD DEVELOPED IN THE COMMISSION AND WAS NOT FRUITFUL. PRES/COUNCIL ASKED FOR INFORMAL SHOW OF HANDS REGARDING QUESTION OF REFERRAL BACK TO SBC BECAUSE, HE POINTED OUT, AMENDMENTS TO ANNEX REQUIRE TWO-THIRDS MAJORITY FOR ADOPTION AND ENOUGH MEMBERS SEEMED PREFER REFERRAL BACK TO JEOPARDIZE THE ADOPTION VOTE. THE SHOW OF HANDS WAS 18 FOR REFERRAL BACK TO SBC. US DID NOT INTERVENE BUT VOTED FOR REFERRAL WHICH BROUGHT SUBSEQUENT EXPRESSIONS PROFOUND GRATITUDE FROM FRENCH AND UK REPS.

3. ON ALL FOLLOWING ITEMS, THE SONIC BOOM MATERIAL WAS EXCLUDED. FYI: PRES. COUNCIL SAID SBC MATERIAL WILL GO TO COMMISSION BEFORE COMING BACK TO COUNCIL. END FYI

4. REGARDING MATERIAL IN ALL PAPERS ON INTERCEPT, THERE WAS MINOR EFFORT BY NIGERIA TO REDUCE PARA 3.7 TO RECOMMEND PRACTICE BECAUSE OF DIFFICULTIES IN SOME STATES REGARDING COOPERATION BETWEEN MILITARY AND CIVIL AVIATION. PRES/COUNCIL SUGGESTED MODIFICATION NOTE 1, PAGE A-7 CWP-6114 WHICH COMMITTEE THEN AGREED TO: INSERT BETWEEN FIRST AND SECOND SENTENCE, THE FOLLOWING SENTENCE:

QUOTE: FURTHERMORE, RECOGNIZING THAT IT IS ESSENTIAL FOR THE SAFETY OF FLIGHT THAT THE VISUAL SIGNALS SPECIFIED IN APPENDIX A TO THIS ANNEX BE APPLIED UNINFORMLY BY CIVIL AND MILITARY AIRCRAFT THROUGHOUT THE WORLD, THE COUNCIL, ON.....URGED CONTRACTING STATES TO ENSURE THAT THEIR STATE AIRCRAFT, WHEN UNCLASSIFIED

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INTERCEPTING CIVIL AIRCRAFT, WILL STRICTLY ADHERE TO THOSE VISUAL SIGNALS." UNQUOTE.

FYI: SPAIN REPRESENTATIVE FORMALLY DEPARTED MIDDLE OF MEETING AND WAS REPLACED BY NEW REP WHO DID NOT PARTICIPATE, THEREFORE NO QUESTION WAS RAISED REGARDING INTERCEPT IN PARA 9.1, A-23 CWP 6114, NOR IN PARA 6.2.1 A-10, CWP 6116, WHICH WAS THE SPAIN PROBLEM IN COMMISSION.

5. INDONESIA ATTEMPTED TO RETAIN PARA 2.1.1.1, A-14, CWP-6111
(QUALIFIED ILS REQUIREMENT). THIS FAILED 3/9 (US).

6. INDIA INTRODUCED EDITORIAL CHANGE IN DEFINITION "CRUISE
CLIMB"; NOW READS: QUOTE: AEORPLANE CRUISING TECHNIQUE RESULT-
ING IN OVERALL INCREASE IN ALTITUDE AS THE AEROPLANE WEIGHT
DECREASES. UNQUOTE
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